

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

The 2nd February, 2012

No. SEC/3E-II/2012/460.—In exercise of powers vested under Rule 39 of the Haryana Panchayati Raj Election Rules, 1994, the State Election Commission, Haryana, hereby specify that the votes during the Bye Elections of the vacant seats of Panches and Sarpanches in District Fatehabad and Hisar and General Election of Gram Panchayats *i.e.* Jakhal Mandi in District Fatehabad, Nissing (Rural) in District Karnal and Berwala (Nandla) in District Panchkula shall be given by ballot and recording of votes by voting machines [Electronic Voting Machines (EVMs) on 26th February, 2012].

By order.

Panchkula :
The 1st February, 2012

(Sd.). . .
Secretary,
State Election Commission, Haryana.

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 2nd February, 2012

No. SEC/3E-II/2012/474.—Whereas, Section 61 of the Representation of the People Act, 1951 provides that with a view to preventing impersonation of electors, so as to make the right of genuine electors to vote under Section 62 of that Act and rules made thereunder for use of Identity Cards for electors as the means of establishing their identity at the time of polling; and

2. Whereas, Rule 28 of the Registration of Electors Rules, 1960, empowers the Election Commission to direct, with a view to preventing impersonation of electors and facilitating their identification at the time of poll, the issue of Electors Photo Identity Cards to electors bearing their photographs at the expense of the Government; and

3. Whereas, Rules 49H (3) and 49K (2) (b) of the Conduct of Elections Rules, 1961, stipulate that where the electors of a constituency have been supplied with Electors Photo Identity Cards under the said provisions of Rule 28 of the Registration of Electors Rules, 1960, the electors shall produce their Electoral Identity Cards at the polling station and failure or refusal on their part to produce those Electoral Identity Cards may result in the denial of permission to vote; and

4. Whereas, free and fair elections not only require that the elector should be free to exercise their votes in favour of the candidates of their choice according to their own free will, but also make it a pre-condition for a clean election so that the genuine voters exercise their franchise and their right to vote is not defeated by unscrupulous and anti-social elements by resorting to impersonation or through bogus voting; and

5. Whereas, although, the right to vote arises by the existence of name in the electoral roll, it is the use of Electoral Photo Identity Cards for Lok Sabha and Assembly Elections where provided by the Election Commission; and

6. Whereas, the Election Commission of India has issued directions that all electors in the State of Haryana who have been issued with their Electoral Photo Identity Cards, shall have to produce these Cards to exercise their franchise when they come to the polling stations for voting at the General Elections to the Member of Parliament and Member of Haryana Legislative Assembly; and

7. Now, therefore, after taking into account all relevant and the legal and factual position, in exercise of powers vested in it under Article 243K(1) of the Constitution of India read with Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling it in this behalf, directs that all electors of Panchayati Raj Institutions who have been issued the Electoral Photo Identity Cards for Assembly and Lok Sabha Elections and the Electoral Photo Identity Cards numbers have been mentioned in case of the Panchayat Voters list also, shall have to produce these cards to exercise their franchise when they come to the polling stations for voting, the polling for which is scheduled to take place on 26th February, 2012.

8. If any elector has not been issued Electoral Photo Identity Cards by the Election Commission of India, he/she will have to produce anyone out of the following documentary evidence to establish his/her identity:—

- (i) Passport,
- (ii) Driving License,
- (iii) Income Tax Identity (PAN) Card,
- (iv) Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other Public Limited Company,
- (v) Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
- (vi) Freedom Fighter Identity Card having photograph,
- (vii) SC/ST/OBC certificate having photograph, issued by Competent Authority,
- (viii) Certificate of Physical Handicap having photograph issued by the Competent Authority,
- (ix) Arms License having photograph,
- (x) Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
- (xi) Property documents with photographs such as Pattas, Registered Deeds etc,
- (xii) Pension documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
- (xiii) Health Insurance Scheme Smart Cards with photograph,
- (xiv) Ration Cards or any other similar documents establishing the identity of the electors to the satisfaction of the Presiding Officer, having photograph.

In case of an odd elector, who does not have any of the above cards would be allowed to vote, if he/she is able to establish his/her identity to the satisfaction of the Presiding Officer and such other Polling Officer authorized by the Presiding Officer in this behalf.

By order.

Panchkula :
The 1st February, 2012

(Sd.) . . .
Secretary,
State Election Commission, Haryana.